

REMARKS

Claims 1-10, 12, and 15-24 are pending in the subject application. No claims have been amended by this Response. Reconsideration of the subject application in view of the following remarks is requested.

Summary of Office Action

Claims 1-7, 9-10, 12 and 15-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Harrah (U.S. 6,498,355) in view of Komoto (U.S. 6,340,824), and further in view of Ruhnau (U.S. 6,900, 511).

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the aforementioned combination and further in view of Jackson (U.S. 6,800,930).

Claims 23 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the aforementioned combination and further in view of Stopa (U.S. 6,318,886).

Patentability of the Claimed Invention

The subject application is a national stage of PCT Patent Application PCT/DE2003/003240 filed on September 29, 2003 claiming priority from German Patent Application 10245930.4 filed on September 30, 2002. To perfect the priority claim to the above-mentioned German priority application, applicants submit herewith is a verified English translation of German Patent Application DE 102 45 930. The certified copy of the German priority application has already been received in the USPTO as is indicated in the Office Action issued September 11, 2006. As is evident from the verified English translation of German Patent Application DE 102 45 930, applicants' German priority application supports the subject matter of the presently pending claims, (*see, e.g.*, page 2, lines 25-35 of the English translation).

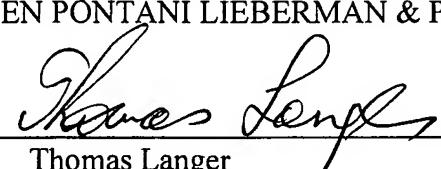
On the other hand, the earliest date for prior art purposes of Ruhnau is its U.S. filing date (i.e., June 27, 2003) under 35 U.S.C. §102(e) -- a date which is later than the September 30, 2002 German priority date, to which applicants are entitled in the present application.

Because the subject matter of the priority German application supports the pending claims and because the filing date of the priority German application precedes the earliest prior art date of Ruhnau, Ruhnau is disqualified from being used for prior art purposes against the present application. Accordingly, inasmuch as Ruhnau is used in all of the claim rejections made under 35 U.S.C. §103(a) and yet is not eligible as prior art, it is respectfully submitted that all of the rejections of the pending claims must be withdrawn.

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

No fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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